IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

| SELECT PORTFOLIO SERVICING, | § | |
|------------------------------|---|---------------------------------|
| INC., | § | |
| | § | |
| Plaintiff, | § | |
| | § | Civil Action No. 3:23-cv-2398-K |
| v. | § | |
| | § | |
| EVELYN COLLINS, JOSE N. | § | |
| ESTRADA, JUAN O. MARTINEZ, | § | |
| MARIA A. MARTINEZ, AND MARIA | § | |
| O. MARTINEZ, | § | |
| | § | |
| Defendants. | § | |

FOLLOW-UP JOINT STATUS REPORT

Plaintiff Select Portfolio Servicing, Inc. ("Plaintiff" or "SPS") and Defendants Jose N. Estrada, Juan O. Martinez, Marria A. Martinez, and Maria O. Martinez ("The Estrada-Martinez Defendants," and together with Plaintiff, are referred to hereafter as the "Parties") file this Follow-Up Joint Status Report, as directed by the Court.

I. "PROPOSED SETTLEMENT"

The "proposed settlement" referenced in the Parties' prior Joint Status Report is actually an offer to provide information in exchange for an agreement to dismiss the claims against the Estrada-Martinez Defendants. As stated by the Estrada-Martinez Defendants in the prior Joint Status Report:

"The Estrada-Martinez Defendants contend Plaintiff failed to comply with the Order in that no response or supporting brief of any kind was submitted. Instead, Plaintiff filed its First Amended Complaint, adding Section VI., a "Matter of Avoidance," suggesting that the Estrada-Martinez Defendants "are not bona fide purchasers for value because they did not acquire the property for value." In the only apparent attempt made to support this suggestion, Plaintiff states in its First Amended Complaint that "[t]hese Defendants acquired the property for \$100.00 per the General Warranty Deed filed in the Real Property Records of Dallas County, Texas." Plaintiff did not, in any

capacity, challenge the facts and legal arguments put forward by the Estrada-Martinez Defendants establishing that Plaintiff's claims are barred by limitations."

The Estrada-Martinez Defendants, although the Parties have not yet initiated discovery, have offered to deliver documentation to Plaintiff establishing that the Estrada-Martinez Defendants purchased the property in question for value in excess of that alleged by Plaintiff in paragraph 7 and paragraphs 37 through 39 of the Amended Complaint, in exchange for a full dismissal of the claims brought by Plaintiff against the Estrada-Martinez Defendants. As of the submission of this Follow-Up Joint Status Report, Plaintiff's counsel is waiting on a response from Plaintiff concerning the foregoing proposal.

Respectfully submitted,

By: /s/ Nicholas M. Frame
MARK D. CRONENWETT
Texas Bar No. 00787303

ncronenwett@mwzmlaw.com

NICHOLAS M. FRAME Texas Bar No. 24093448 nframe@mwzmlaw.com

MACKIE WOLF ZIENTZ & MANN, P. C.

14160 North Dallas Parkway, Suite 900 Dallas, TX 75254

Telephone: (214) 635-2650

Facsimile: (214) 635-2686

ATTORNEYS FOR PLAINTIFF

and

By: /s/ Dean J. Siotos___

DEAN J. SIOTOS

Texas Bar No. 00793018 dsiotos@imtexaslaw.com

10440 N. Central Expressway, Suite 800

Dallas, Texas 75231

Telephone: (214) 265-6500 Facsimile: (713) 222-7669

Bradford W. Irelan State Bar No.10411550 Federal Bar No. 13607 2520 Caroline St., 2nd Floor Houston, Texas 77004 Telephone: (713) 222-7666 Facsimile: (713) 222-7669

birelan@imtexaslaw.com

IRELAN MCDANIEL PLLC

ATTORNEYS FOR DEFENDANTS JOSE N. ESTRADA, JUAN O. MARTINEZ, MARRIA A. MARTINEZ, AND MARIA O. MARTINEZ

CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2024, a true and correct copy of the foregoing was served in the manner described below on the following:

VIA ECF Notification:

Dean J. Siotos Irelan McDaniel PLLC 10440 N. Central Expy., Suite 800 Dallas, Texas 75231 Attorney for Defendants Jose N. Estrada, Juan O. Martinez, Maria A. Martinez, and Maria O. Martinez VIA U.S. Mail:

Evelyn Collins 1806 Longview Street Mesquite, Texas 75149

/s/ Nicholas M. Frame

NICHOLAS M. FRAME